

Appl. No. 10/772,829
Amtd. dated February 12, 2009
Reply to Office Action of November 13, 2008

Remarks

The present amendment is filed in conjunction with the filing of an RCE and responds to the final Official Action dated November 13, 2008. That Official Action rejected claims 1-16 under 35 U.S.C. 103(a) based on Cohen U.S. Patent No. 6,560,576 (Cohen) in view of Surace U.S. Patent No. 6,144,938 (Surace). Claims 1, 3, 5-7, 11 and 13 have been amended to be more clear and distinct. Claim 2 has been canceled without prejudice. Claims 1 and 3-16 are presently pending.

Interview Summary

The Examiner is thanked for the courtesy of a telephone interview conducted on January 7, 2009. Examiners Kovacek and Dorville, and the undersigned participated. As outlined in the Agenda dated January 6, 2009, claims 1 and 2 were discussed. Clarification as to the Examiner's interpretation of the claims and the art was requested and provided. No agreement was reached.

The Art Rejections

All of the claims were rejected based on Cohen taken in combination with Surace. As addressed in greater detail below, Cohen and Surace do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicants do not acquiesce in the analysis of Cohen and Surace made by the Official Action and respectfully traverse the Official Action's analysis underlying its rejections.

At page 3 of the Official Action mailed November 13, 2008, the Examiner states "the examiner contends that this limitation is not significantly different in scope than the removed

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limitation 'to identify an experience level of a user relating to a user's relative familiarity or unfamiliarity with the function being performed.' In particular, the examiner contends that the measurement of 'familiarity' with a specific function of a system inherently includes some measurement of the 'familiarity' with the overall system." Clarification was requested and while Applicants do not acquiesce in the analysis of Cohen by the Official Action¹, the claims have been amended to be more clear and distinct as addressed further below.

The present application at page 2, lines 3-7, by way of example, points out "expert users may know all the different inputs that are required for each stage of an application, other users

¹ Cohen teaches the selection of introductory help prompts as a user is learning to use a system, with help prompts being selected to present information about different features of the system as the user gains experience. The expert help prompts of Cohen typically do not in themselves call for particular user inputs at a particular time, and instead seek to explain to the user various actions that can be performed. The expert help prompts of Cohen are more in the nature of tutorial information, rather than calls for response. The Applicants respectfully disagree with the Official Action's arguments that Cohen uses the experience level of a user to favor the presentation of more abbreviated prompts to experienced users. Instead, Cohen selects expert prompts as part of a course of instruction, with advanced prompts related to a particular feature being presented as relevant. Cohen does not suggest that these prompts are abbreviated, and does not contemplate the use of abbreviated expert prompts to guide a user whose experience level suggests that only a briefer instruction is required.

The Official Action cites Cohen, col. 5, lines 48-55 as support for the proposition that Cohen renders obvious selection of prompts tending to favor the presentation of more abbreviated prompts to users with greater experience levels. In the cited text, Cohen states that expert prompts are those played when the caller is more experienced and ready to learn about more sophisticated features. Such selection is not directed toward the selection of abbreviated prompts for more experienced users. Rather, the selection taught by Cohen is directed toward teaching the user about additional new features, and such teaching does not necessarily suggest the selection of an abbreviated prompt. Because the feature being introduced is new, the prompt rather than being abbreviated, would be as detailed as needed to convey the proper instruction, and the more complex the feature, the longer the prompt might need to be. As such, Cohen teaches away from the idea that a user's increased experience level tends toward the presentation of briefer prompts. See, for example, col. 5, lines 55-59, in which Cohen states that in one embodiment, only one expert prompt would be played per session, while multiple novice prompts might be played per session, and further states that in another embodiment, any particular expert prompt would be played to only one particular caller. Such discussion is in accordance with the idea that an expert prompt would be more elaborate than a novice prompt, and is contrary to the idea that an expert prompt would be abbreviated. If an expert prompt were contemplated as an abbreviated prompt, there would be no need to restrict the presentation of expert prompts to once per session, or to limit the presentation of each prompt to once per caller. Rather, such choices of presentation are in accordance with the idea that the expert prompts are to be used to introduce new features, with each such prompt being no longer needed once the feature has been introduced, and with the introduction of new features being conducted relatively gradually.

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may be very experienced with some portions of the application but not with other portions, and relatively inexperienced users are likely to be unfamiliar with the inputs required for the system . . ." Thus, for the expert users and the relatively inexperienced user's familiarity with a function may in some sense correlate with the user's overall system familiarity, but the "other users" familiarity with a particular function may suggest either a far greater or far lesser overall system familiarity than is actually the case. As further noted at page 2, line 8, "[in] typical prior art systems, little or no distinction is made between such users." The text at page 8, line 4-page 12, line 15 provides an example for a user, Mary, who is an expert with respect to initial interaction, but a novice with respect to the voicemail module.

At page 7, lines 4-12, an exemplary embodiment of the present invention includes a user information database 130 with a usage history for each user including a tally for each function. This usage history may be suitably organized by module and the user prompts may also be similarly organized by module as further discussed at page 7, line 13-page 8, line 17.

In a system in which measurement of familiarity with a specific function is equated with overall system familiarity as suggested by the Examiner at page 3 of the Official Action, a user such as Mary either gets a too detailed and long prompt when her lack of familiarity with voicemail is equated with a lack of overall familiarity, or, if her expertise with initial interaction is equated with overall system expertise, then too short prompts lacking sufficient detail may be presented to her when she is using an unfamiliar function, such as the voicemail functions. It is believed that the ability to advantageously distinguish such situations is not met by the relied

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upon art and if such distinctions were not clearly enough claimed previously that they now have been..

The amendments to claims 1 and 11 address a "user information database storing user records including a function usage tally indicating the number of times the user has successfully performed each function" and "storing user records including a function usage tally . . .", respectively. This approach as discussed at page 2, lines 6-9 allows prompts to be tailored at a function level to the user with abbreviated prompts for users with greater experience levels with the function as further discussed at length at page 6, line 15-page 8, line 34.

By contrast, Cohen , for example, keeps track of "the condition that caller has said 'bookmarks' immediately followed by a name . . . at least a predetermined number of times" and then plays a quite lengthy "expert active help prompt" apparently not provided to the less expert user. Cohen, col. 14, lines 58-62.

To sum up, Cohen does not teach and does not make obvious the claims as presently amended. The thrust of Surace is to provide "a voice user interface with personality." Surace, col. 1, lines 55 and 56. Thus, the number of times a prompt has played may be taken into consideration so that different wording is chosen in the future to avoid the redundancy of a machine response repeating the same prompt over and over. Compare Surace, Fig. 15 variations, for example. The length of these personalized responses does not appear related to the user's expertise. Thus, Surace does not cure the varied deficiencies of Cohen.

By contrast, presenting prompts that indicate the function being performed and calling for an appropriate user response, and favoring more abbreviated prompts from experienced users, as

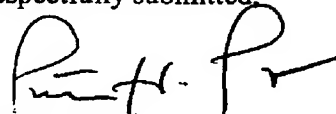
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claimed by claims 1 and 11, allows for a more efficient prompt presentation to experienced users who are navigating a function. Claims 1 and 11, therefore define over Cohen and Surace, and should be allowed.

Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,



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